

MORRISON | FOERSTER

**RECEIVED**  
**CENTRAL FAX CENTER**
**JAN 10 2007**

 755 PAGE MILL ROAD  
 PALO ALTO  
 CALIFORNIA 94304-1018

TELEPHONE: 650.813.5600

FACSIMILE: 650.494.0792

WWW.MOFO.COM

 MORRISON & FOERSTER LLP  
 NEW YORK, SAN FRANCISCO,  
 LOS ANGELES, PALO ALTO,  
 SAN DIEGO, WASHINGTON, D.C.,  
 DENVER, NORTHERN VIRGINIA,  
 ORANGE COUNTY, SACRAMENTO,  
 WALNUT CREEK, CENTURY CITY  
 TOKYO, LONDON, BEIJING,  
 SHANGHAI, HONG KONG,  
 SINGAPORE, BRUSSELS

To:

NAME:	FACSIMILE:	TELEPHONE:
MS Amendment USPTO	(571) 273-8300	(571) 272-7592

 FROM: Lynn Guillermo for  
 Ernest Ellenberger

DATE: January 10, 2007

Number of pages with cover page:	10	Client Ref: SP4290US/TA
----------------------------------	----	-------------------------

Preparer of this slip has confirmed that facsimile number given is correct: 12187/red3**Comments:**

Attorney Docket No.:	259052003600
Group Art Unit:	2627
Examiner:	C. Magee
Serial No.:	10/686,089
Filing Date:	October 14, 2003
Inventors:	Tatsunori YAMAMOTO et al.
Title:	OPTICAL PICKUP DEVICE
Document attached:	
<ul style="list-style-type: none"> <li>• Transmittal (1 page)</li> <li>• Amendment in Response to Non Final Office Action (8 pages)</li> </ul>	

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

\*\*\*\*\*

**CAUTION - CONFIDENTIAL**

This facsimile contains confidential information that may also be privileged. Unless you are the addressee (or authorized to receive for the addressee); you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

pa-1123194

**RECEIVED**  
**CENTRAL FAX CENTER**

**JAN 10 2007**

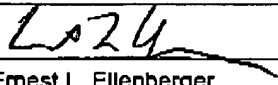
PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0551-0031  
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after Initial filing)</i>	Application Number	10/686,089	
	Filing Date	October 14, 2003	
	First Named Inventor	Tatsunori YAMAMOTO	
	Art Unit	2627	
	Examiner Name	C. Magee	
Total Number of Pages in This Submission	9	Attorney Docket Number	259052003600

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (8 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Coversheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Ernest L. Ellenberger		
Date	January 10, 2007	Reg. No.	56,529

Client Ref.: SP4290US/TA

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-9300, on the date shown below.	
Dated: January 10, 2007	Signature:  (Lynn Guillermo)

pa-1123198

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JAN 10 2007**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: January 10, 2007

Signature: 

(Lynn Guillermo)

Docket No.: 259052003600  
(PATENT)  
Client Ref. No. SP4290US/TA

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Tatsunori YAMAMOTO et al.

Application No.: 10/686,089

Confirmation No.: 6818

Filed: October 14, 2003

Art Unit: 2627

For: OPTICAL PICKUP DEVICE

Examiner: C. Magee

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated October 10, 2006 (Paper No. 20060930), for which a response is due on January 10, 2007. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.

pa-1117815